

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his
capacity as court-appointed Chapter 11
Trustee for LLS America, LLC,

Plaintiff,

v.

KEN PHILLIPS AND DR. KEN
PHILLIPS, INC.,

Defendants.

NO: CV-12-635-RMP

Bankr. Case No. 09-06194-PCW11

Adv. Proc. No. 11-80127-PCW11

ORDER DISMISSING CASE WITH
PREJUDICE AND WITHOUT COSTS

BEFORE THE COURT is the transmittal of an Order of Dismissal, ECF
No. 19, entered in the bankruptcy court on September 12, 2013, Adv. Doc. No. 69.
This Court construes the filing as a report and recommendation. Having reviewed
all relevant documents, the Court finds, pursuant to the report and

1 recommendation, that dismissal is appropriate. Accordingly, **IT IS HEREBY**

2 **ORDERED:**

3 1. The Report and Recommendation, **ECF No. 13**, is **ADOPTED**.

4 2. This case is dismissed **with prejudice** and without costs to any party, and
5 Proof of Claim No. 49 is disallowed in its entirety.

6 3. Judgment shall be entered as dismissed, but not in favor of any one party.

7 4. All pending motions are denied as moot, and any pending court dates are
8 hereby stricken.

9 **IT IS SO ORDERED.**

10 The District Court Clerk is hereby directed to enter this Order, enter
11 judgment accordingly, and provide copies to counsel and to Judge Patricia C.
12 Williams, and **close** this case.

13 **DATED** this 19th day of September 2013.

14
15 *s/ Rosanna Malouf Peterson*

16 ROSANNA MALOUF PETERSON
17 Chief United States District Court Judge
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